

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

KWANZA DELAGARDE,)	
)	
Plaintiff,)	
)	Case No. 3:20-cv-0093
v.)	
)	ACTION FOR NEGLIGENCE,
TOURS VI LTD. and RAJIR PICKERING,)	GROSS NEGLIGENCE
)	
Defendants.)	
_____)	

APPEARANCES:

Ryan W. Greene, Esq.
St. Thomas, U.S.V.I.
For Plaintiff Kwanza DeLagarde.

ORDER

THIS MATTER comes before the Court upon the motion of Plaintiff Kwanza DeLagarde ("DeLagarde") for default judgment against Defendant Tours VI LTD. ("Tours VI"). (ECF No. 14.) For the reasons stated in the accompanying Memorandum Opinion of even date, it is hereby

ORDERED that the motion for default judgment, ECF No. 14, is **DENIED**; it is further

ORDERED that, pursuant to Fed. R. Civ. P. 12(h)(3), the complaint is **DISMISSED without prejudice**; it is further

ORDERED that the Clerk of Court shall **CLOSE** this case.

Dated: February 28, 2022

/s/ Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge